

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

---

JASON CHARLES COURVERLER, PRO SE,	§	
TDCJ-CID No. 1700010,	§	
OK DOC No. 569088,	§	
	§	
Plaintiff,	§	
	§	
v.	§	2:13-CV-0064
	§	
BRAIN CLARK, Major; NFN EDGAR,	§	
Nurse; NFN PONDER, Capt.;	§	
NFN RAMIRIEZ, SGR; and	§	
NFN CHAVEZ, Officer,	§	
	§	
Defendants.	§	

**ORDER OF PARTIAL DISMISSAL**

Plaintiff JASON CHARLES COURVERLER, acting pro se and while a prisoner confined in the Texas Department of Criminal Justice, Correctional Institutions Division, has filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-referenced defendants and has been granted permission to proceed in forma pauperis.

On December 16, 2013, a Report and Recommendation was issued by the United States Magistrate Judge recommending plaintiff's claims concerning his transfer to 3 Building and a change in his classification, as well as his claims against defendants NFN EDGAR, Nurse; NFN PONDER, Capt.; NFN RAMIRIEZ, SGR.; and NFN CHAVEZ, Officer, be dismissed without prejudice for failure to state a claim on which relief can be granted and with prejudice as frivolous.

The period for response has expired, and no objections have been filed by plaintiff.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation. The Court is of the opinion that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.

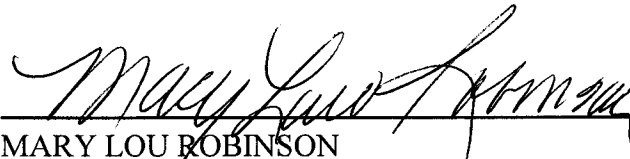
IT IS THEREFORE ORDERED that plaintiff's claims concerning his transfer to 3 Building and a change in his classification, as well as his claims against defendants NFN EDGAR, Nurse; NFN PONDER, Capt.; NFN RAMIRIEZ, SGR.; and NFN CHAVEZ, Officer, be DISMISSED WITHOUT PREJUDICE FOR FAILURE TO STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED and WITH PREJUDICE AS FRIVOLOUS.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk shall send a copy of this Order to plaintiff and to any attorney of record. The Clerk shall also mail copies of this order to TDCJ-Office of the General Counsel, P.O. Box 13084, Austin, TX 78711; and to the Pro Se Clerk at the U.S. District Court for the Eastern District of Texas, Tyler Division.

It is SO ORDERED.

Signed this the 21<sup>st</sup> day of January, 2014.

  
\_\_\_\_\_  
MARY LOU ROBINSON  
United States District Judge